



201-15598

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 09 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Stanley S. Rodgers
Senior Environmental, Health & Safety Professional
Corporate Environmental & Safety Affairs
Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110-1199

Dear Mr. Rodgers:

Thank you for your letter dated July 19, 2000, to the U.S. Environmental Protection Agency (EPA) regarding the High Production Volume (HPV) Challenge Program. I apologize for the lengthy delay in responding to your request.

Your letter requests that natural vitamin E, d- α -tocopherol (CAS No. 59-02-9), be removed from the HPV Chemical List for two reasons. Your first reason was that d- α -tocopherol (CAS No. 59-02-9) is nearly exclusively marketed for use in foods, drugs or cosmetics, all of which are regulated under the Federal Food, Drug and Cosmetic Act. Your second reason was that only two other companies had made non-confidential submissions, Henkel and Eastman Chemical Company, and they were no longer reporting it. EPA encourages companies to ensure that their Inventory Update Rule (IUR) reports accurately reflect the production volumes for the HPV uses, when chemicals are also produced for non-HPV uses.

As you may know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website at www.epa.gov/chemrtk in March, 1999. Based on EPA's review of all the pertinent IUR data from 1998 and 2002, EPA has determined that d- α -tocopherol (CAS No. 59-02-9) **does meet** the "no longer HPV" criteria. The HPV Challenge Program Chemical List will be annotated by adding a "5" to indicate that it is no longer HPV.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the

TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsc-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201